

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

VINCENT EUGENE WALKER,

Plaintiff,

v.

Civil Action No. 3:19CV348

M. BROOKS, et al.,

Defendants.

**MEMORANDUM OPINION**

Vincent Eugene Walker, a Virginia inmate proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. See Dowe v. Total Action Against Poverty in Roanoke Valley, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). In his current Complaint, Walker does not identify the particular constitutional right that was violated by the defendants' conduct and his terse and conclusory allegations also fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. Accordingly, by Memorandum Order entered on November 15, 2019, the Court directed Walker to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned

Walker that the failure to submit the particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the Walker Memorandum Order. Walker failed to submit a particularized complaint or otherwise respond to the November 15, 2019 Memorandum Order. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Walker.

Date: December 18, 2019  
Richmond, Virginia

/s/ R E P  
Robert E. Payne  
Senior United States District Judge